

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JOSEPH ARCHULETA, et al.,

Plaintiffs,

v.

RB/LAM

CIV-09-0606

JOE R. WILLIAMS, SEC'Y OF CORR., et al.,

Defendants.

ORDER TO CURE DEFICIENCY

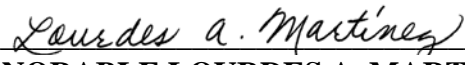
Plaintiffs filed a civil rights complaint. *Prisoners['] Civil Rights Complaint (Doc. 1)*. The filing fee has not been paid, and Plaintiff Gonzales filed a *Declaration in Support of Motion to Proceed in Forma Pauperis*, which the Court construes as a motion for leave to proceed under 28 U.S.C. § 1915 (*Doc. 2*). As a general rule, a *pro se* plaintiff may not represent other individuals. *Cf. Cotner v. Hopkins*, 795 F.2d 900, 902 (10th Cir. 1986) (citing *Adams v. James*, 784 F.2d 1077 (11th Cir. 1986) (in non-class action context, prisoner has no standing to litigate claims of other prisoners). Accordingly, if the filing fee is not paid, each Plaintiff must be granted leave to proceed *in forma pauperis*. See 28 U.S.C. § 1915. Each Plaintiff, therefore, must submit a motion for leave to proceed *in forma pauperis*. The required initial partial payment toward the filing fee, see § 1915(b)(1), will be determined upon compliance with this order. Failure to cure the designated deficiencies within thirty (30) days from the date of this order may result in dismissal of Plaintiffs' claims.

IT IS THEREFORE ORDERED that Plaintiff Gonzales' *Declaration in Support of Motion to Proceed in Forma Pauperis* (Doc. 2), which the Court construes as a motion for leave to proceed under 28 U.S.C. § 1915, is **GRANTED**;

IT IS FURTHER ORDERED that, within thirty (30) days from the date of this order, Plaintiffs either pay the filing fee (a single payment of \$350.00) or file individual motions for leave to proceed under 28 U.S.C. § 1915, including a statement of each Plaintiff's trust account for the last six months; any papers that Plaintiffs file in response to this Order must include the civil action number (CV 09-0606 RB/LAM) of this case;

IT IS FURTHER ORDERED that the Clerk is directed to mail to each Plaintiff (except Mr. Gonzales), together with copies of this Order, the following forms: Motions for Leave to Proceed Pursuant to 28 U.S.C. § 1915 and Initial Financial Certificates.

IT IS SO ORDERED.


HONORABLE LOURDES A. MARTÍNEZ
United States Magistrate Judge